

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

U.S. ALLIANCE FEDERAL CREDIT
UNION,

Plaintiff,

-against-

CUMIS INSURANCE SOCIETY, INC.,

Defendant.

USDS SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 10/5/09

ORDER

03 Civ. 10317 (PGG)

PAUL G. GARDEPHE, U.S.D.J.:

For the reasons stated on the record during the October 2, 2009 hearing in the above-captioned action, Cumis Insurance Society, Inc.'s motion for reconsideration is DENIED. The Clerk of the Court is directed to terminate the motion. [Docket No. 69] It is further

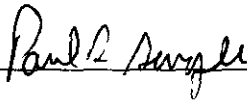
ORDERED that this case shall proceed to trial on January 25, 2010 in Courtroom 18B of the United States Courthouse, 500 Pearl Street, New York, NY. It is further

ORDERED that the parties shall make their pretrial submissions to the Court no later than December 21, 2009. These submissions shall include all of the materials described in Paragraph 9 of the Court's Individual Rules of Practice, including: proposed findings of fact and conclusions of law; a memorandum of law; and affidavits constituting the direct testimony of each trial witness. It is further

ORDERED that the parties shall submit a joint letter to the Court via fax no later than one week after their settlement conference before Magistrate Judge Gorenstein. This letter shall explain whether the case has settled or whether it is proceeding to trial.

Dated: New York, New York
October 2, 2009

SO ORDERED.

A handwritten signature in black ink, appearing to read "Paul G. Gardephe", is written over a horizontal line.

Paul G. Gardephe
United States District Judge